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Raubkunst at the Ringling

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In 2016, I discovered two woodcuts by Franz Marc hidden in the collection of the state art museum of Florida. Putting my training as an art historian and, more substantively, the skills and tactics I had picked up earlier as an investigative reporter to good use, I was able to identify these prints as *Raubkunst*, or Nazi-looted art and track them to their German sources. This is a recount of the conclusions I have reached through my involvement of almost three years in this process; including statements by the aforesaid museum's curators, and commentary from experts in provenance research and restitution law.

For all the recent interest and publicity attendant to the issue of *Raubkunst*, real progress in sorting out issues of provenance and recompense is faltering. To mark the 20th anniversary of the founding of the [Washington Principles](#)—a set of guidelines meant to govern restitution of this stolen artwork—and assess their advancement, the workshop “Roadmap to the Future” was held at Berlin’s Haus der Kulturen der Welt this past November. Among its prominent speakers was Ronald Lauder, co-founder of Manhattans’s Neue Galerie and chairman of the World Jewish Congress, who complained to the convening Prussian Cultural Heritage Foundation that its efforts to create a digital database of missing artwork was lagging. How soon we forget! A little over a decade ago—when the Washington Principles were being drafted—Lauder, then chairman of MoMA and a major Republican Party fundraiser and donor, interfered with the legal proceedings that would have seen Egon Schiele’s *Portrait of Wally* (1912) returned to the family of Viennese art dealer Lea Bondi Jaray, the woman from whom it had been stolen during the Anschluss.^[1] Bondi Jaray, who knew Schiele well and was an early promoter of his work, kept the portrait in her home as a beloved personal memento of the painter, who died in 1918.

Cases of looted art involving courtroom litigation can take decades to resolve, sometimes successfully, often frustratingly.^[2] Though intransigence and animosities are sometimes met with in inquiries related to quasi-private collections, the offenders are too frequently the curatorial staffs of museums. In the United States, this may be owed in part to the joint professionalization and deskilling of museum work; with many of the curators who have been hired in the past decade starting work with master’s degrees in business and (perhaps) museum studies, rather than the doctorates in art history, requisite language skills and record of peer-reviewed publishing that would have been mandatory for such competitive positions not long ago. This new stream of employment also tends to attract social justice campaigners, who regard concerns over European art as tedious markers of the colonial privilege of dead white men.^[3] There are also many instances of questionable provenance and ownership that fall outside the strict letter of the law, which the Washington Principles are designed to address. And while it would seem to be beyond any allowance of moral relativism for a museum to *not* want to err on the side of caution in undoing the wrongs of the Third Reich, such resolutions are not easily achieved.

DIACRÍTICA
unschooling design

Franz Marc’s combination of imaginative projection and scientific curiosity about the animals he centered in the practice of “the coming spiritual religions”^[4] is the focus of my scholarly work. The perceptiveness and sensitivity that infuse his animal pictures were driven not just by his pantheistic beliefs, but also by his knowledge about animals in their embodied sense. Marc was not only a practiced nature observer himself; he followed zoologists and scientists who wrote about the biological history of animals, including Charles Darwin and the German naturalist Wilhelm

I am especially interested in his woodcut *Schöpfungsgeschichte II* (1914) because its intertwined, energetic forms—creatures with fins, feathers, frills, scales, and multiple limbs that rise from a primordial tide—show his engagement with Darwin’s theory of evolution. The artist, who had trained as a young man to become a priest (and who *did* become one in a certain sense), saw in the emergence of new life forms a complement, not a contradiction, to divine existence. At the time of its making, however, the woodblock print that was to decorate an illustrated Book of Genesis would have been seen as radical.

It was at the John and Mable Ringling Museum of Art in Sarasota, Florida, that I found not just a curious copy of *Schöpfungsgeschichte II* but also another woodblock print that had disappeared in the thirties, *Geburt der Pferde*, printed by Marc as a preliminary work for the Bible project in 1913. I learned about the possible presence of *Schöpfungsgeschichte II* at the Ringling through a Google news alert to a small item in a Florida circular.^[6] Though the story by Nanette Crist contained the inaccuracies that might be expected from someone new to the various complexities surrounding *Raubkunst*, it claimed that a print by Marc entitled *Green and Yellow Horses*, and displayed at the notorious 1937 *Entartete Kunst* exhibition in Munich, had been sold immediately after the show to an American who eventually donated it, together with some other works, to the museum in Sarasota; known chiefly for its collection of early modern paintings and serene waterfront sculpture garden. What jumped out at me in the news brief was that Marc does not have *any* known work in any medium named *Green and Yellow Horses* (or *Grüne und gelbe Pferde*, as it would be in German).^[7]

I was intrigued, since I had visited the Ringling many times and never known it to possess a work by Marc. The designated state art museum of Florida, the Ringling has been operated under the governance of Florida State University in Tallahassee since 2000. As a publicly-funded collecting museum under the auspices of a tax and tuition-supported land-grant university, the Ringling is subject to a high degree of accountability and scrutiny.^[8] In the past few years, it has been immersed in a legal battle over the withdrawal of funding and a personal art collection by a donor of the museum’s Asian Art Center.^[9]

The Ringling owns a small collection of modern art, having also opened a gallery dedicated to contemporary installations in late 2016.^[10] It is claimed to hold some of Kandinsky’s works on paper, including the 1922 lithographic etching *Kleine Welten XII*; which means it is one of only a few museums in the United States, and the only one in the Southeastern region, to hold graphic works by both of the Blaue Reiter’s founders. Given this knowledge, it is very curious that the Ringling has not been keen to promote and display these works, especially now that their authenticity and origin have been established beyond question. After all, the centennial of Marc’s death was in 1916, and 2019 marks the 100th anniversary of the Bauhaus, so there is a renewed immediacy to the historic avant-garde.^[11]

Wassily Kandinsky. *Kleine Welten VII*. 1922.

Lithograph (transferred from woodcut)

originally from a portfolio of twelve prints; six lithographs (including two transferred from woodcuts), four drypoints, and two woodcuts.

On handmade paper. 27 x 23.2 cm.; sheet 33.7 x 28.2 cm. Fine Arts Museums of San Francisco, Achenbach Foundation for Graphic Arts, California.

Upon reading Crist's article in August 2016, I wrote to the Ringling's then-curator of modern and contemporary art, Matthew McLendon, and its director, Steven High, requesting clarification about the Marc prints regarding where they had come from and any issues clouding their provenance. I received no answer to this inquiry or to the five subsequent correspondences, escalating from email to registered post. Having previously dealt with the state university system's reticence to comply with the explicit Chapter 119 of the Florida Statutes, the robust records disclosure protocols for public agencies known as the "Government in the Sunshine Law"—and in preparation for a lengthy bout of stalling—on 28 September 2016 I filed a Freedom of Information Act motion with Florida State University's public information officer, Browning Brooks, copied to High.

This action yielded a rather minimal reply from High, with a bit of interesting data. Along with the response came a list of thirteen artworks acquired with what indeed turned out to be Marc's *Schöpfungsgeschichte II*...and another woodcut by him. This other print is 1913's *Geburt der Pferde*, though the Ringling also lists it under the incorrect name of *Animals with Red Sun*.

The Marc prints and the other works were purchased by Edward W. Beattie, an American working for United Press International in Europe in the late 1930s; with the woodblock prints themselves acquired from the exploitive *Kunsthandler* Bernhard A. Böhmer. According to the Ringling's registry, *Geburt der Pferde* had come from the Kunsthalle Mannheim, and *Schöpfungsgeschichte II* from the Kupferstichsammlung Stuttgart.^[12] They were both deaccessioned after having been declared *entartete*, or "degenerate," in 1937. Beattie, with his wife Dorothy listed as a co-owner, donated the works to the Ringling in 1956, and there the prints had remained, out of public sight and mind, for over six decades.

It appeared to me that among the more salient errors in Crist's story was the assertion that Marc's woodcuts saw the inside of the Institute of Archaeology at the Hofgarten in Munich in 1937, where the *Entartete Kunst* show took place; and that Beattie had acquired them as discards from the exhibition. The Ringling's records seem to agree because, as High acknowledged, "...staff has been analyzing the work of our provenance researcher, and can't confirm that the Franz Marc print was part of the *Entartete Kunst* exhibition."

In my letters and FOIA request, I had asked why the print was not identified by its correct name. "Regarding the title, more than likely this was a descriptive title applied to the work many years ago," High said. This answer irked me. Marc is a major twentieth century artist whose graphic work is well-known. A Google reverse-image search would have easily yielded the name to any layperson, and even a "descriptive" title would not have generated *Green and Yellow Horses*, as it does not characterize the content of the print.

Schöpfungsgeschichte II is a copy without an original. The woodblock print from "Die erste Mappe (The First Portfolio)" began its life in the spring of 1914, when Marc proposed the idea of a *Blaue Reiter*-illustrated edition of the Bible to *Almanach* publisher Reinhard Piper, enlisting the collaboration of Kandinsky, Klee, Kokoschka and Kubin. Marc selected the Book of Genesis, with its animal-rich creation narrative, and produced these anticipatory woodcuts for it.



Franz Marc. *Schöpfungsgeschichte II*. 1914.
Woodcut printed in black, yellow ochre, and
green. Handmade paper. 20 x 23.7 cm. The
British Museum, London.

Though the project would not be realized given the outbreak of the war, *Schöpfungsgeschichte II* had a collaborative life resulting in a chain of images that confounded the very notion of the copy. First, after having made the pattern and incised the woodblock, Marc pressed just a few leaves of *Schöpfungsgeschichte II* in black ink only, and then hand-tinted only one in ochre, green and gold, thereby putting considerably more effort into making one “print” than it would have taken to create a discrete watercolor or a small-format oil painting. He took care to call this effort a “trial proof” or “impression” in communicating his actions to Herwarth Walden, his agent at *Der Sturm* gallery and journal; implying he was not entirely satisfied with his work and did not consider it reproducible.^[13] Whether Marc destroyed the single sheet himself, as was his habit with work that did not meet his personal standard, or whether it is caught in some limbo of provenance, this *Ur-Schöpfungsgeschichte II* is lost to us. In 1921, five years after Marc’s death, his widow, Maria Marc, and friend Heinrich Campendonk made a limited edition run of 125 prints of *Schöpfungsgeschichte II*, faithful to Marc’s color scheme if not his wishes. It is one of these sheets on *Büttenpapier* (a hand-molded, thick, textured paper), signed by Maria Marc and embossed with the chop of Berlin printer Fritz Voigt, that made its way to the Ringling Museum via Beattie and Böhmer.

Woodblock prints, lithographs, and engravings are obviously copies because, like photographs, they are not unique. Such prints are legitimized in the art world if the artist did the original carving or engraving, produced each copy in his atelier with his own set of inks and blocks, and signed each copy. New York’s MoMA and the British Museum in London each own one of the 125 prints, identifying them simply as being the work of Franz Marc.

The issue of copies-versus-originals raises weighty questions. Must Marc have handled the prints himself for them to be deemed as “original copies”? Would they be more authentic if they had been inked by another master printer, under Marc’s supervision, during his lifetime? Or, without such supervision but while Marc was alive, and with his permission? Would the prints have more validity of sentiment had they been printed by Maria Marc and Campendonk while Marc was alive? How would we consider this work if it had been printed by someone who had no personal connection to,



or knowledge of, Marc at all, but who possessed the physical woodblock that Marc had made? What I am really targeting with these questions is Benjamin's elusive notion of aura. My sense is that this iteration of *Schöpfungsgeschichte II*—the block touched by Franz, passed down to Maria, and with the printing overseen by Campendonk, a family friend of the Marcs and of Helmuth Macke, Marc's beloved confidante and cousin to August Macke—is imbued with the passion of legitimacy.

Franz Marc. *Geburt der Pferde*. 1913.

Woodcut printed in black, red, rose and green. Japan paper. 21.5 x 14.6 cm; sheet: 34.3 x 25.1 cm. The Robert Gore Rifkind Center for German Expressionist Studies @ LACMA, California.

The other print, *Geburt der Pferde*, arouses fewer philosophical questions but has an equally fascinating history. Marc had begun sketches for what was then his first inkling of the Bible project in 1913. This woodcut, with its bold outlines and delicate pink undertones, pleased Marc, as he printed a dozen sheets before 1914 and authorized his wife to sell the individual leaves during his service with the Bayerischen Feldartillerie-Regiment. Because these woodcuts were definitively made and signed by Marc himself, they were rapidly purchased by private collectors and several German museums. (Paradoxically, this means that there were more of them for the Third Reich to seize upon being declared *entartete*.) There is an issue with the name of the work as listed by the Ringling; which, as in the case of *Schöpfungsgeschichte II*, was incorrect. However, in a detail that demonstrates just how idiosyncratic provenance research can be, it was the originating museum, the Kunsthalle Mannheim, that had ascribed the misnomer, at least in the registry of *Entartete Kunst* compiled by the Frei Universität Berlin, where it holds number 6509 and goes, indeed, by *Tiere mit roter Sonne*. Its [entry](#) contains an image that clearly corresponds with the [several other copies](#) of *Geburt der Pferde* listed in the roster, with accompanying thumbnails.

In late 2016, I began investigating the origin of the Ringling prints to determine if there had been any communication between the museums—a courtesy the Ringling curators could not be relied upon to extend. I first sought advice from Markus Stötzel, a lawyer based in Marburg who specializes in restitution for the owners and heirs of Nazi-looted artworks. His efforts have seen Max Beckmann's *The Lion Tamer*—once in the collection of famed gallerist, art dealer and writer Alfred Flechtheim, who succumbed to Nazi persecution in 1937—intercepted at auction in 2012, with proceeds from its sale awarded to Flechtheim's heirs; as well as the return of *Portrait of a Man*, by Giovanni Battista Moroni, to the family of August Liebmayer, an art historian murdered in Auschwitz in 1944.

Stötzel agreed that “the Ringling’s ethical misbehavior” was troubling, notably “their unwillingness to correct—as a minimum—the obvious errors regarding the attribution and origin of these objects.” He also added there is very little that could be legally done:

“with regard to unwinding the problems related to [their] provenance. Without an individual or familial claimant, artwork with vexed provenance languishes—and German museums have no grounds for legal pursuit, either, since they consider Nazi seizure of thousands of artworks in and after 1937 as irreparable damage that cannot be claimed for restitution. In brief, the underlying Nazi laws that formally enabled their authorities to go after condemned art and to take all these “un-German” paintings to either destroy them or to sell them abroad, have never

been declared null and void in the postwar era. And of course, the Nazis used ‘degenerate’ works as bargaining pieces to trade for art deemed worthy of possession.

It follows that, even among the museums that suffered the most from these losses, Germany holds to the overall attitude that this episode should not be touched or reviewed, because—such is the argument—*the Nazi German state had robbed itself*. In view of this, it’s understandable that American museums such as the Ringling don’t feel there is any obligation to take further steps in this regard. It’s also obvious they have little interest in exposing their own former staff or donors who, like Edward Beattie, took advantage of this situation in the forties.”

Bearing this uneasy artworld *Realpolitik* in mind, I wasn’t sure what to expect, and was thus greatly pleased at the forthcomingness of the curatorial and research teams at the museums in Stuttgart and Mannheim. As suspected, the Ringling had made no contact with either institution, and both curatorial staffs expressed a mix of surprise, pleasure, and dismay at the information concerning the Marc prints.

The Kunsthalle Mannheim’s present-day focus is on contemporary art and community integration, having just invested in a sprawling new “city within a city” complex inaugurated in 2018 with a massive retrospective by conceptual photographer Jeff Wall. But another exhibition has attracted low-key international recognition: *(Wieder-)Entdecken—Die Kunsthalle Mannheim 1933 bis 1945 und die Folgen* (or *(Re)discovery —The Kunsthalle Mannheim from 1933 to 1945 and the Consequences*), which opened this past summer and will run through 2019.

Folgen bears the fruits of three years of research by the Kunsthalle’s fulltime provenance researcher, Mathias Listl. Though his position is partially funded by the Stiftung Deutsches Zentrum Kulturgutverluste in Magdeburg, Listl has worked quietly and largely on his own, perhaps sensing the chaos that international art restitution has deteriorated into. He raided the Kunsthalle Mannheim’s own collection looking for *Raubkunst*, and found it. Although most of the 2,253 works purchased by the museum from 1933 onwards were legitimately acquired, in 25 cases Listl found evidence that Nazis stole the artworks from their owners, or that the latter had to sell under duress. The mainly nineteenth century prints and paintings came to Mannheim through art dealers such as the aforesaid Böhmer and Hildebrand Gurlitt, who were actively involved in the National Socialist art-theft program and who gained substantially from it. Listl is currently tracking the artworks back to their previous owners or their heirs so they can be returned.

Since Listl was immersed in establishing provenance chains for the Kunsthalle’s current holdings, he was curious about incoming information regarding works that had been taken *from* the museum. In fact, Listl told me he was in simultaneously preparing a report about the work that had been confiscated from the Kunsthalle in the thirties, and had no idea as to the whereabouts of its former possession *Geburt der Pferde*. “We only knew that in 1940, the print was in the possession of the art dealer Bernhard A. Böhmer,” he said. I was taken aback by the date, which Listl’s receipts showed to be accurate, because it meant that Böhmer’s sale to Beattie took place long after the Munich exhibition—in the midst of the war, when the German seizure of art from museums and private collectors was already well-documented, and, one would think, well-known to a war correspondent savvy enough to be on transactional terms with Böhmer.

“With respect to our reaction, I can only say that there’ll be no reaction,” Listl responded to this nefarious context, with read-between-the-lines diplomacy. “There is—unfortunately—no judicial base for any reclaim. These confiscated artworks, now in the possession of other museums or private collectors can’t be technically called *Raubkunst* because—*only judicially*—there was no ‘robbery.’”

Christiane Lange, director of the Staatsgalerie Stuttgart, reacted similarly and expressed similar sentiments, again in the subtle language of the German *Zeugnisse*, those superficially favorable letters of recommendation that are damningly encoded. “I would like to thank you very much for the information that the print *Schöpfungsgeschichte II* by Franz Marc is located in the Ringling Museum in Sarasota. We were not thus far aware of this,” she remarked, graciously adding: “Even though it is a shame that this print was confiscated in Stuttgart, it is nevertheless gratifying that it is again in a public museum.”

She also echoed Stötzl’s and Listl’s opinions regarding any possibility of a repatriation. “Even if legal action were possible, such a lawsuit would be doomed”. Interestingly, the Staatsgalerie Stuttgart acquired *another* copy of *Schöpfungsgeschichte II* in 1949, so the work is again in its collection and accessible to the public.

During a fellowship at the Los Angeles County Museum of Art in the spring of 2018, I had time to discuss both philosophical and material culture issues with the curatorial staff at the Robert Gore Rifkind Center for the Study of German Expressionism. I asked chief curator Timothy Benson, what, hypothetically, would be the practical and ethical considerations in a case like this, and what he would view as a favorable outcome for it. Benson noted that in his estimation, by and large most American museums abide by the Washington Principles and are “committed to redressing the issue of Nazi looting, and many museums (including LACMA) have invested staff resources in researching their collection and returning or paying restitution for any objects proven to have been illegally seized from individuals, families, dealers, and artists.”

The Washington Principles hail from a 1998 conference organized by the United States Department of State and the United States Holocaust Memorial Museum. Though they are in one respect mandates, they are not technically laws, so there is considerable leeway when it comes to their interpretation and enactment. As Benson acknowledged: “The Association of American Museum Directors policy stipulates that each museum has its own identity (and hence allows each institution to treat claims on a case-by-case basis).”

He pointed out that, as with all works on paper, there is also the consideration of the well-being of the artworks themselves: “Of course, graphic works could only be exhibited briefly in accordance with professional conservation practices. We own impressions of both prints and generally show them only six months or less at a time.” In fact, during my fellowship, *Schöpfungsgeschichte II* was hibernating (though I did get to see *Geburt der Pferde* and *Stella Peregrina*, an intimate notebook of poems with illustrations by Marc that were hand-tinted by his great love, Annette von Eckardt).

During this study trip to Los Angeles I also visited the Getty Research Institute to hear a talk by Simon Goodman following up on his book *The Orpheus Clock* (2015), the story of his quest to have the famous sixteenth century timepiece of the title returned to his family along with other works. Goodman’s grandfather, Fritz Gutmann, had founded the Dresdner Bank in Germany and become a patron of the arts who, with his wife Louise, collected works from around Europe. The Gutmanns lost their collection to seizure and forced sale prior to being murdered in concentration camps. Simon Goodman was born in London in 1947 and educated in Paris and Munich, becoming a music producer who moved to Los Angeles and formed a large and prominent network of friends, fans, and attorneys. Even so, he was met with incredible resistance, humiliation and, at least initially, failure, when confronting the museums in New York and Amsterdam, and the Sotheby’s and Christie’s auction houses, that knowingly sold his family’s possessions. Though moved and compelled by Goodman’s story, I wondered, while listening to him: if a man as resourceful as he had been nearly derailed in his quest, what could someone less formidable hope to accomplish?

But persistence —and, crucially, assistance from Timothy Benson, Markus Stötzel and some behind-the-scenes benefactors—finally got me in the door at the Ringling. By spring 2018, when I finally met with director Steven High, I had graduated with a PhD in German and Art History, begun to publish based on the research I'd conducted on the ground at Sindelsdorf, Kochel am See and Ried, the Bavarian villages where Marc had lived, and discovered a previously unknown photo of the artist in the Deutsches Kunstarchiv at the Germanisches Nationalmuseum in Nürnberg. I don't say this to toot my own horn, but to single out one of the paradoxical difficulties faced by fledgling researchers: to gain access to those who can help get projects off the ground, one must not be without portfolio.

On 12 March, I found myself in the pristine lobby of the Ringling administration building, a secure annex behind the museum itself. During our meeting, High, its director since 2011, was cordial but wary, acknowledging that Mathias Listl had made contact regarding *Gerburt der Pferde*. Olga Wlusek—who holds a master's degree in art history, with a focus on the trendy turn towards the indigenous and the non-Western—had just been designated as the Ringling's new curator of contemporary art (High himself, who had come from a regional museum in Georgia, has an MBA and a master's degree in art history from Williams College). It was and is my strongest impression that the Ringling curatorial staff is oddly oblivious to the battles over *Raubkunst* raging throughout the art world or regarding provenance concerns in general, such as the British Museum's ongoing negotiations over the Benin bronzes with the government of Nigeria.

High accompanied me to the secured works-on-paper vault, asking again what it was that I was there to see, and pointing out some other conservation projects, including restoration of a recently donated Impressionist watercolor. As I had imagined, but hoped was not the case, the precious Marc print was simply stacked in a drawer—number 179—with the other works from the dubious Beattie donation, which include a 1925 watercolor by George Grosz and two Ernst Barlach bronzes, from 1907 and 1914 respectively.

"The Marc is probably not here," High said, gesturing to the drawer. Seeing my eyes widen, he explained, "...because it's a rather large work, isn't it?"

"No," I exhaled "it's a woodcut...very small...it's a design for a page of the Book of Genesis?" I hated the hesitant catch at the end of my sentence, but I had to see the print. At last, *Schöpfungsgeschichte II* appeared in the fanned pages in the drawer. Restraining my conflicting strong emotions, I imbibed the colour planes, the traces of foxing and mildew damage and, still faintly visible, Maria Marc's small, even, confident signature. Seeing *Schöpfungsgeschichte II* in person convinced me that Maria *had* been working from her husband's "trial proof," for even beyond the r/evolutionary content of the creation story, the distinctive hybrid technique Marc used was both innovative and immediately recognizable. What Marc had carved, printed, and then painted in gouache, mechanically replicated, seems startlingly fresh and urgent even today. The color, laid over and outside the lines of the black demarcations, recalls the delicate abstract woodblock prints made today by Brooklyn-based Japanese artist Takuji Hamanaka. Sadly, the abraded *Büttenpapier* does not bear its number within the series. Perhaps it was intentionally removed.

I asked High about the possibility of organizing a small exhibition of the prints, and he told me this was not a priority project; that the first order of business for the new curator was to sort out the situation with the Asian art dispute, and to move to events organized around the Ringling's more contemporary ambitions. *Entartete Kunst* was on the back burner. I collected my notebook, shook High's hand, and told him I would be in touch. I could tell he was puzzled to see I was not merely a fangirl, satisfied with having seen the work. As I turned to leave, High said, unprompted: "Some

people really seem concerned about these provenance and attribution matters. We've had two terracotta figurines in the decorative collection for years that we thought were from the Netherlands in the 1700s. Turns out they're from the Michelangelo workshop. Like with this [situation about the Marc prints], some researcher seemed quite adamant about having the record changed."

I kept moving toward the elevator. Yes, I thought. "Some researcher" indeed.



I sent the high-resolution photographs I had obtained of *Schöpfungsschichte II* to Lange in Stuttgart and, using those images and the trail of seizures and sales by Böhmer, the print was authenticated as the work seized in 1933. The strange misnaming of *Geburt der Pferd*, and, again, Böhmer's meticulous records, gave Mathias Listl the information he needed to close the loop on the missing Mannheim work. Both have since been formally entered into the database kept by Germany's Staatsministerin für Kultur und Medien as having been seized between 1933 and 1937, retained to be brokered and sold by Böhmer, purchased by Beattie in 1940, donated to the Ringling in 1956, and owned by the museum today. The Ringling has corrected the name of *Schöpfungsgeschichte II* on its website, but the story of its accession is nowhere to be found.

In February, I will present a paper on this research as chair of the "Systems of War" panel at the 107th Annual Meeting of the College Art Association in New York City. I have proposed to Olga Wlusek a small show of the Kandinsky and Marc works, to be presented in tandem with an exhibition catalogue about the museum's broader *Entartete Kunst* problem, Kandinsky's Bauhaus-era oeuvre, and the narrative of the Marc woodcuts. To date no response has been received. Thus I am left with Steven High's emailed statement, which seems to make clear that the task to make this story known is mine: "We welcome your continued interest and any contribution as you research this work."^[14]

I hope that is what I have accomplished here.

[1] Andrew Shea's 2012 documentary *Portrait of Wally* captures the hypocrisy, deception, and bullying at Lauder's behest on behalf of MoMA in damning detail.

[2] On the upside, last week Germany returned a painting from the Gurlitt trove to the heirs of a Jewish French politician and resistance figure who was executed during the war. *Portrait of a Seated Young Woman* by Thomas Couture, which belonged to Georges Mandel, was restored to Mandel's heirs. And Eike Schmidt, the director of the Uffizi Gallery in Florence, has taken to Twitter to visit extrajudicial humiliation upon the German family in possession of *Vase of Flowers*, an eighteenth century painting by Dutch artist Jan van Huysum that the Uffizi claims was stolen in 1944 by retreating German soldiers. On the other hand, pieces such as Leila Amindeddoleh's "The Norton Simon Museum's Multi-Million-Dollar Nazi Restitution Case of Two Paintings by Cranach the Elder, Explained" (*Artsy*. 5 April 2016) detail how, after a series of court rulings over nine years, the lawsuit against the Norton Simon Museum mounted by Marei von Saher, sole surviving heir of the Dutch-Jewish art dealer Jacques Goudstikker, was decided in favor of the museum. The case centered around claims by von Saher that two Lucas Cranach the Elder paintings, looted by the Nazis during World War II and long on display at the museum in Pasadena, California, should have been restituted to her. The case against the museum

was widely reported not just because of the artwork's storied past and value (estimated in the tens of millions of US dollars), but because of the case's complicated and contentious legal history. More recently, the Stedelijk Museum in Amsterdam simply refused to return Wassily Kandinsky's 1909 *Painting with Houses* to the heirs of the Jewish family that had owned it, a not-uncommon position for Netherlandish museums in possession of hundreds of pieces of looted art. See: Hickley, Catherine. "Dutch Policy on Nazi-Loot Restitutions under Fire." *The Art Newspaper*. 21 December 2018.

[3] This produces situations like the 2017 demolition of Sam Durant's *Scaffold* at the Walker Art Center (which had commissioned the work) and the subsequent ouster of director Olga Viso; and the emphasis that's being placed on curatorial outreach and perceived sociability as opposed to the scholarly publishing of exhibition catalogues and, crucially, provenance research.

[4] "Ihr Denken hat ein anderes Ziel: Durch ihre Arbeit ihrer Zeit Symbole zu schaffen, die auf die Altäre der kommenden geistigen Religion gehören und hinter denen der technische Erzeuger verschwindet" from ›Die Wilden Deutschlands‹ in *Der Blaue Reiter*. München: Piper, 1912, pp. 5-7.

[5] On Marc's interest in popular science, see: Eschenburg, Barbara. "Das Tier in Franz Marcs Weltanschauung und in seinen Bildern," in: *Franz Marc. Die Retrospektive*, 51-71. Eschenburg notes Bölsche's influence on Marc. Though trained as an archaeologist and philosopher, Bölsche was a naturalist after Marc's own heart in that he observed and recorded data about animals and plants and reported on them in a series of self-published guides. In 1915, Marc expressed an interest in several of Bölsche's newer nature-fact books in his letters to Maria Marc: "If you run across them, read [Jean-Henri] Fabre and [Wilhelm] Bölsche and the like. I can think of nothing more stimulating and more satisfying for both pastime and education than the research of these natural scientists: the emergence and ancestry of plants and animals, the geological ages (the latter especially), insect life, astronomy, etc." ["Wenn Du je in Leseüberdruß kommst—so lies [Jean-Henri] Fabre und [Wilhelm] Bölsche und dergleichen. Ich kann mir gar nichts Anregenderes und Befriedigenderes als Zeitvertreib und Bildung denken, als das Forschen dieser Naturwissenschaftler: Entstehung und Ahnenfolge der Pflanzen und Tierwelt, die geologischen Zeitalter (letzteres ganz besonders), Insektenleben, Sternenlehre u.s.w."]. From: Franz Marc: *Briefe, Schriften, Aufzeichnungen*. Leipzig: Gustav Kiepenheuer, 1989, 179-180.

[6] Crist, Nanette. "Nazi Looted Art Discovered in Museums in Sarasota, West Palm." *Florida Weekly*. 18 August 2016.

[7] Although it too contains some errors; at present, the definitive catalogue raisonné on Marc is: Hoberg, Annegret and Isabelle Jansen, *Franz Marc: The Complete Works. Vols. 1-3*. London: Philip Wilson, 2003-2009.

[8] Though it is erratically enforced, Florida had a particularly robust law concerning the openness and accessibility of public records, known as "Government in the Sunshine." Florida's regulations regarding access to public records is now governed by the State Attorney General's Office. Details are available at the State's [website](#).

[9] Seidman, Carrie. "Ringling Museum, FSU File Counterclaim against Asian Art Center Donor." *The Sarasota Herald Tribune*. 13 January 2017.

[10] Rife, Susan L. "Modern? At the Ringling?" *The Sarasota Herald Tribune*. 11 July 2010.

[11] It is furthermore a flouting of Article 5 of the Washington Principles: "*Every effort should be made to publicize art that is found to have been confiscated by the Nazis and not subsequently restituted in order to locate its pre-War owners or their heirs.*"

[12] *Geburt der Pferde* is also listed in the *Entartete Kunst* directories maintained by the Victoria and Albert Museum and by the Frei Universität Berlin as having been owned by Dresden's Staatliches Kupferstichkabinett, Hamburg's Kunsthalle, the Staatliche Kunsthalle in Karlsruhe, Saarbrücken's Staatliches Museum, and the Museum Behnhaus in Lübeck. *Schöpfungsgeschichte II* prints were held in Hamburg, Lübeck, and Saarbrücken as well.

[13] Marc, Franz. *Briefe, Schriften, Aufzeichnungen*. Leipzig: Gustav Kiepenheuer, 1989, 215.

[14] High, Steven. 'Franz Marc', email, 2016.

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